

Appl. No. : **09/905,335**
Filed : **July 13, 2001**

REMARKS

Prior to entering the amendments, Claims 1-8 and 33-46 are pending in the application. By the present amendment, Claim 46 is deleted and Claims 8, 33-38, 40 and 44 are amended. Accordingly, after entering the amendments, Claims 1-8 and 33-45 will remain pending.

Allowable Subject Matter

Applicants note with appreciation the Examiner's indication that Claims 37-43 are allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. In response, Applicants have rewritten Claims 37, 38 and 40 in independent form, incorporating all the features of base Claim 1. Claim 39 depends from rewritten independent Claim 38; and Claims 41-43 depend from rewritten independent Claim 40.

Accordingly, Applicants respectfully submit that Claims 37-43 are in condition for allowance.

Amendments

Applicants have amended Claims 8 and 44 to correct obvious typographical errors. In particular, Claim 8 has been amended to add commas in the list of metals. Claim 44 has been amended to match follow-on recitation of "removing" with its antecedent basis in Claim 1. Additionally, Claim 46 has been deleted as duplicative of Claim 44.

Applicants request entry of these amendments as they place the claims in better condition for allowance, and introduce no new issues or new matter.

Rejections Under 37 U.S.C. §112

The Examiner has rejected Claims 33-36 as being indefinite because they depend upon cancelled Claim 31. In response, Applicants have amended the dependency to depend directly from independent Claim 1.

Rejections Under 35 U.S.C. §103

The Examiner has rejected Claims 1-8 and 44-46 under 35 U.S.C. §103(a) as being unpatentable over Tsai (U.S. Patent No. 6,300,250) in view of either Tsai et al. (U.S. Patent No. 5,575,706) or Uzoh et al. (U.S. Patent No. 5,911,619).

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Applicants respectfully submit that the Examiner has misinterpreted Claim 1. Claim 1, as previously amended, clearly recites “preventing removal of other portions of the seed layer from the cavities of the substrate by applying an electric potential between the substrate and an electrode.” The Examiner combines the CMP teachings of Tsai ‘250 with the teaching of applying an electric field during CMP in Tsai ‘706 or Uzoh.

Applicants do not dispute that the secondary references teach application of an electric field during CMP. However, the secondary references teach “ECM” and thus employ the potential to aid removal of this material. See Tsai ‘706 at Col. 3, lines 57-65 (teaching “an increased polish removal rate as a result of the applied electrical potential”); Uzoh at Col. 1, lines 55-59 (teaching “dissolving a material” by application of an electric potential). This is in direct contrast with the language of Claim 1, which recites “preventing removal ... by applying an electric potential.”

Thus, even if there were motivation to make the combination asserted by the Examiner, the combination would apply the opposite electric potential to that required to prevent removal. In other words, the electric potential would remove portions of the seed layer, and furthermore would remove it from both the tops of the substrate and the cavities of the substrate. Accordingly, Applicants respectfully submit that, since the asserted combination would not meet all of the limitations of independent Claim 1, the combination fails to present a *prima facie* case of obviousness.

Accordingly, Applicants respectfully submit that the pending claims are in condition for allowance over the art of record.

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CONCLUSIONS

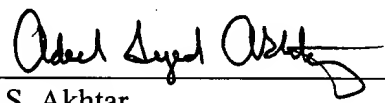
Applicants respectfully request entry of the amendments, which merely rewrite allowable claims into independent form and correct obvious typographical errors.

In view of the foregoing amendments and claims, Applicants respectfully submit that the application is in condition for allowance and request the same. If, however, some issue remains that can be addressed by Examiner Amendment, Applicants cordially invite the Examiner to call the undersigned for authorization.

Respectfully submitted,

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Dated: December 27, 2004

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